

## Missouri Public Service Commission - Minutes of Agenda Meeting

Thursday, December 13, 2007

**12:00 PM**

PSC Agenda Room, Governor Office Building, 200 Madison Street, Suite 900

**Jeff Davis (JD): P, Connie Murray (CM): P, Robert Clayton (RC): P,  
Linward Lin Appling (LA): P, Terry Jarrett (TJ): P, Staff: P**

### **Approval of Minutes of Last Agenda Meeting**

**WD Withdrawn**

**★ For Good Cause**

### **Tariff and New Orders**

| Item No.       | Commissioner Votes |                        |                |                |                | Case/Tracking No. | Company Name/Brief Description   |
|----------------|--------------------|------------------------|----------------|----------------|----------------|-------------------|--|
| 1.             |                    |                        |                |                |                | SA-2007-0373      | EMC of St. Charles County, LLC --<br>Order Granting Certificate of<br>Convenience and Necessity --<br><i>Jones</i>                               |
| <b>Action:</b> |                    | Discussed & Withdrawn. |                |                |                |                   |  |
| 2.             | <b>JD</b><br>Y     | <b>CM</b><br>Y         | <b>RC</b><br>Y | <b>LA</b><br>Y | <b>TJ</b><br>Y | GC-2006-0549      | Laclede Gas Company -- Order<br>Granting Relief from Portion of<br>Report and Order (Lynne<br>Shewmaker v. Laclede Gas Co.) --<br><i>Pridgin</i> |
| <b>Action:</b> |                    | Approved as amended.   |                |                |                |                   |  |
| 3.             | <b>JD</b><br>Y     | <b>CM</b><br>Y         | <b>RC</b><br>Y | <b>LA</b><br>Y | <b>TJ</b><br>Y | WA-2008-0125      | Missouri-American Water Company<br>-- Order Granting Certificate of<br>Convenience and Necessity --<br><i>Woodruff</i>                           |
| <b>Action:</b> |                    | Approved as submitted. |                |                |                |                   |  |
| 4.             |                    |                        |                |                |                | EO-2007-0298      | Aquila, Inc. -- Order Approving<br>Non-unanimous Stipulation and<br>Agreement and Accepting<br>Integrated Resource Plan -- <i>Pridgin</i>        |
| <b>Action:</b> |                    | Discussed & Withdrawn. |                |                |                |                   |  |
| 5.             | <b>JD</b><br>Y     | <b>CM</b><br>Y         | <b>RC</b><br>Y | <b>LA</b><br>Y | <b>TJ</b><br>Y | WC-2008-0079      | Universal Utilities, Inc. -- Order<br>Granting Staff's Motion For Default<br>Judgment -- <i>Woodruff</i>   |
| <b>Action:</b> |                    | Approved as amended.   |                |                |                |                   |  |
| 6.             | <b>JD</b>          | <b>CM</b>              | <b>RC</b>      | <b>LA</b>      | <b>TJ</b>      | TT-2008-0085      | Level 3 Communications, LLC --   |

Y      Y      Y      Y      Y

**Action:**      Approved as submitted.

Order Approving Tariff -- *Dippell*

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7.      AO-2008-0192      Commission -- Order Opening Docket, Providing Notice and Establishing Procedural Schedule -- *Stearley*

**Action:**      Discussed & Withdrawn.

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### Case Discussion

| Item No.  | Commissioner Votes |                |                |                |                | Case No.     | Company Name/Brief Description   |
|---|--------------------|----------------|----------------|----------------|----------------|--------------|--|
| 1.  | <b>JD</b><br>Y     | <b>CM</b><br>Y | <b>RC</b><br>Y | <b>LA</b><br>Y | <b>TJ</b><br>Y | EX-2007-0214 | Commission -- Ratification of Instruction to File Electric Infrastructure and Vegetation Management Rules -- <i>Dale</i> |
| <b>Action:</b> Approved. See "additional item" below. |                    |                |                |                |                |              |  |

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|--------------------------|--|--|--|--|--|--------------|--|
| 2.                       |  |  |  |  |  | EO-2007-0395 | Aquila, Inc. -- Memorandum: Aquila's Tariff to Continue and Expand Its Fixed Bill Pilot Program -- <i>Woodruff</i> |
| <b>Action:</b> Discussed |  |  |  |  |  |              |  |

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|--------------------------|--|--|--|--|--|--------------|---|
| 3.                       |  |  |  |  |  | EO-2008-0043 | Empire District Electric Company, The -- Prehearing Discussion -- <i>Voss</i> |
| <b>Action:</b> Discussed |  |  |  |  |  |              |   |

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### Other Discussion

| Item No.  | Commissioner Votes | Brief Description |
|---|--------------------|-------------------|
| 1.  |                    |                   |
| <b>Description:</b> Commission Scheduling Matters |                    |                   |
| <b>Action:</b> Discussed                          |                    |                   |

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|---------------------------------|--|--|
| 2.                              |  |  |
| <b>Description:</b> Legislation |  |  |
| <b>Action:</b> Not discussed    |  |  |

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|------------------------------|--|--|
| 3.                           |  |  |
| <b>Description:</b> Budget   |  |  |
| <b>Action:</b> Not discussed |  |  |

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4.

**Description:** Other**Action:** N/A

5.

AmerenUE presentation regarding storm outages. -- *Davis***Description:** Other**Action:** Presentation made and discussed.

6.

**Description:** Litigation**Action:** Not discussed

7.

**Description:** Personnel**Action:** Not discussed**Additional Agenda Item****Commissioner Votes****Action**

|           |           |           |           |           |
|-----------|-----------|-----------|-----------|-----------|
| <b>JD</b> | <b>CM</b> | <b>RC</b> | <b>LA</b> | <b>TJ</b> |
| N         | N         | Y         | N         | N         |

Case Discussion #1: First Vote: Moved and seconded to propose the rules as they were in an earlier draft (See EX-2007-0214: Rule 23.030 Filed June 15, and 23.020 Clayton Version filed December 20). Motion failed.

|           |           |           |           |           |
|-----------|-----------|-----------|-----------|-----------|
| <b>JD</b> | <b>CM</b> | <b>RC</b> | <b>LA</b> | <b>TJ</b> |
|-----------|-----------|-----------|-----------|-----------|

Case Discussion #1: Second Vote: As reflected above, except that the Vote was not to ratify, but to authorize re-filing of the rules submissions to the Sec of State.

**P = Present    A = Absent    Y = Yea    T = Present via telephone    N = Nay    X = Non Participating**



12/21/2007

Chairman